

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**GREAT AMERICAN LIFE INSURANCE
COMPANY**

PLAINTIFF

V.

NO. 3:16-CV-70-DMB-JMV

**AVA MITCHELL TANNER,
ALITA MARGARET MITCHELL, and
CRAIG J. CHEATHAM**

DEFENDANTS

consolidated with

**AVA MITCHELL TANNER and
PHYLLIS FERNANDEZ**

PLAINTIFFS

V.

NO. 3:18-CV-23-DMB-RP

**ALITA CHEATHAM MITCHELL and
CRAIG CHEATHAM**

DEFENDANTS

ORDER

On March 8, 2018, after this Court granted summary judgment in her favor in No. 3:16-cv-70,¹ Ava Mitchell Tanner filed a “Motion to Alter Judgment to Add Treble Damages.” Doc. #179. On March 26, 2019, the United States Court of Appeals for the Fifth Circuit vacated that judgment and remanded the case for trial.² Because the judgment upon which Ava relies in her motion to alter has been vacated, her motion to alter [179] is **DENIED without prejudice**.

SO ORDERED, this 28th day of June, 2019.

**/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE**

¹ See Docs. #170, #173. All references and cites in this order are to No. 3:16-cv-70.

² See Docs. #188, #188-1.